

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

JOHN ALPE,

Plaintiff,

vs.

UNION PACIFIC RAILROAD CO.,

Defendant.

8:23CV210

ORDER

This matter is before the Court on its own motion. Defendant Union Pacific Railroad Company has moved for summary judgment on each of Plaintiff John Alpe's claims under the Americans with Disabilities Act. ([Filing No. 56](#)). The facts of this case and legal issues presented by the motion for summary judgment are similar to those in another case currently pending before the Eighth Circuit, *Meza v. Union Pacific Railroad Company*, No. 24-1367. The Eighth Circuit panel recently heard oral argument in *Meza*. In the interest of judicial economy, the Court will defer ruling on Union Pacific's motion for summary judgment until the Eighth Circuit issues an opinion in *Meza*. Accordingly,

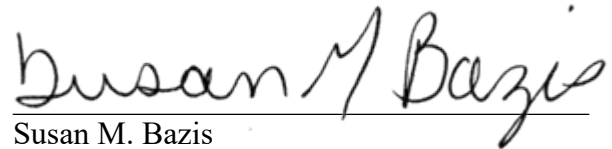
IT IS ORDERED:

1. This case is held in abeyance pending the Eighth Circuit's ruling in *Meza v. Union Pacific Railroad Company*.
2. The parties shall notify the undersigned's chambers of the Eighth Circuit's ruling in *Meza* within seven days after it is issued. The parties shall also advise if they wish to do any further briefing. If the parties wish to do further briefing based on the decision in *Meza*, they shall also submit a briefing schedule when they notify the court of the ruling in *Meza*.

3. The pretrial conference set for April 1, 2025 and trial set for April 21, 2025 are canceled.
4. Within seven days after the Court rules on Union Pacific's motion for summary judgment, the parties shall contact the chambers of the assigned Magistrate Judge to schedule a planning conference to discuss settlement status and the scheduling of a pretrial conference and trial, if necessary. If the parties would prefer to set a trial date prior to a ruling on summary judgment, they may contact the assigned Magistrate Judge after a ruling in *Meza*, or if additional briefing will be required, after a briefing schedule is entered.

Dated this 19th day of March, 2025.

BY THE COURT:

A handwritten signature in black ink, reading "Susan M. Bazis". The signature is written in a cursive, flowing style. The first name "Susan" is written in a larger, more prominent script, followed by "M." and "Bazis". The signature is positioned above a horizontal line.

Susan M. Bazis
United States District Judge